

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 14-CR-02778-KG

vs.

WILLIAM JOSEPH TAYLOR,

Defendant.

**ORDER**

THIS MATTER came before the Court on Plaintiff's *Emergency Motion to Take Deposition*, filed January 8, 2015. (Doc. 127). The United States proposed to take the deposition of Vicki Hall. On January 12, 2015, Defendant filed a response in opposition. (Doc. 131). On the same date, the Court held a hearing to consider the motion. Present at the hearing were Assistant United States Attorney, Marisa A. Lizarraga, Assistant United States Attorney, Randy Castellano, Defendant William Joseph Taylor, and counsel for Defendant, Dennis Candelaria and Barbara Mandel, Assistant Federal Public Defenders.

During the January 12, 2015, hearing, the Court heard arguments from both parties. For the reasons stated on the record in open court, the Court granted Plaintiff's *Emergency Motion to Take Deposition*.

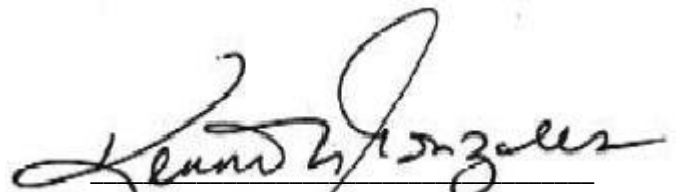
Upon hearing my order and after conferring, the parties notified the Court they will forego the deposition and instead, moved in open court for an order allowing the parties to elicit testimony from Vicki Hall at trial with live, two-way video conferencing. The Court construes the motion as stipulated. Before adjourning and ruling on the stipulated motion, the Court

requested briefing from the parties. On January 13, 2015, the parties filed *Joint Briefing By The Parties on Two-Way Video Conference Testimony And A Defendant's Ability to Waive*. (Doc. 134).

The Court finds that Defendant approves of the two-way video conferencing of eliciting Ms. Hall's testimony at trial. The Court further finds that Defendant knowingly, voluntarily, and competently waived his Constitutional right to confrontation for the limited purpose of eliciting Ms. Hall's testimony. Having considered the arguments of counsel and applicable authority, the Court hereby GRANTS the parties stipulated Motion.

The Court further orders the parties to take the necessary steps prior to trial to test the audio-visual systems in the courtroom and at Ms. Hall's location so as to avoid any delay during trial.

Having granted the joint motion, the Court hereby finds the *Emergency Motion to Take Deposition*, (Doc. 127), MOOT.



UNITED STATES DISTRICT JUDGE